

EXHIBIT B

CERTIFICATE OF SERVICE

A true and correct copy of Defendant's Supplement to Answers to Plaintiffs' First Set of Interrogatories has been forwarded by facsimile on the 27th day of August, 2013 to the following counsel of record:

KENNARD ATTORNEY AT LAW
Kennard, Blankenship & Robinson, P.C.
Alfonso Kennard, Jr.
5433 Westheimer Road, Suite 825
Houston, TX 77056
Telephone (713) 742-0900
Facsimile (713) 742-0951/ fax



Ricardo A. Cuellar

FIRST SET OF INTERROGATORIES

Defendant objects to Plaintiffs' request for interrogatories to the extent they exceed the permissible number of allowable interrogatories including subparts.

INTERROGATORY NO.1:

Please describe in detail Defendant's business operations. In your description, please provide the following information; state who are the owners, directors and managers of the business; describe the type of business Defendant carries out and the work performed or services provided; state the number of people employed in the operations; identify the locations where Defendant's employees work; identify the buildings, vehicles, machinery, tools and equipment used in Defendant's operations; and identify who owns the buildings, vehicles, machinery, tools and equipment used in Defendant's operations.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. This request seeks a narrative response from the information that can be gleaned from the documents produced. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waiving the foregoing objections, please see attached document bates labeled PCM000033-PCM000037.

INTERROGATORY NO.2:

Please provide the following information in regard to Plaintiffs' employment with you: dates of employment; location(s) where worked; rates of pay; job description; work schedule; dates of and reasons for any interruption to the Plaintiffs' employment; and the reason why each Plaintiff's employment with you ended.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. This request seeks a narrative response

from the information that can be gleaned from the documents produced. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waving the foregoing objections, please see attached documents bates labeled PCM000001-PCM000032 & PCM00000038-00000055.

INTERROGATORY NO.3:

Please describe how you paid Plaintiffs. Include in your description, for each Plaintiff:

- (a) the amount of each component of Plaintiffs' compensation, including regular pay, overtime pay, bonuses, commissions, and any other category of compensation paid to Plaintiffs during each workweek of the Relevant Time Period;
- (b) the method(s) of calculating or determining each component of Plaintiffs' compensation, including overtime pay, if any, paid to Plaintiffs;
- (c) the total number of hours Plaintiffs worked in each workweek;
- (d) the total amount of compensation Defendant paid to Plaintiffs for each workweek;
- (e) an identification of any documents reflecting payments made to Plaintiffs; and
- (f) an identification of any documents you reviewed, created or referred to in answering this interrogatory is based, in whole or in part.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. This request seeks a narrative response from the information that can be gleaned from the documents produced. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waving the foregoing objections, please see attached documents bates labeled PCM000001-PCM000032 & PCM00000038-00000055.

INTERROGATORY NO.4:

Identify all individuals responsible for determining:

- (a) whether to hire or fire Plaintiffs;
- (b) the amount of Plaintiffs' compensation; and

(b) Plaintiffs' work schedule.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. This request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute. This request seeks a narrative response from the information that can be gleaned from the documents produced. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waving the foregoing objections;

Tulio Flores
PCM Construction Services, LLC
501 North Salem St., Suite 201
Apex, NC 27502
Phone: (919) 657-1746
Fax: (800) 974-4595

INTERROGATORY NO.5:

Describe how Defendant recorded and maintained records of the time worked by Plaintiffs. In your response, identify any person who was responsible for recording and/or maintaining those records and identify who reviewed those records before payment was issued to Plaintiffs.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category.

Subject to and without waiving the foregoing objections; The supervisor advised PCM weekly if an employee worked over 55 hours in a workweek. Name of Supervisor: Tulio Flores.

INTERROGATORY NO. 6:

Identify:

- (a) All employees of Defendant during the Relevant Time Period;
- (b) Each of Plaintiffs' immediate supervisors and/or managers; and
- (c) Each person having supervisory or managerial authority over any individual identified in response to subpart (a) and (b) of this Interrogatory.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category.

Subject to and without waiving the foregoing objections, please refer to the Employee List forwarded via facsimile to Plaintiff's counsel on August 16, 2013.

INTERROGATORY NO. 7:

If you assert Defendant acted in "good faith" in compensating Plaintiffs, please describe the bases for such an assertion. Include:

- (a) a description of the investigation, if any, you conducted in determining whether Defendant's method of paying minimum wage and overtime complied with the FLSA; and
- (b) an identification of any documents you reviewed, created or referred to during any such investigation, including, without limitation whatsoever, any opinion letters from your attorney(s) from the Department of Labor or any correspondence or other communication between you and the Department of Labor.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category.

Subject to and without waiving the foregoing objections; Yes, there was an independent investigation by the Department of Labor. Pursuant to the investigation, Plaintiffs were paid in accordance to the fluctuating workweek method of payment.

INTERROGATORY NO.8:

Identify all witnesses Defendant intends to rely upon at trial.

RESPONSE:

1. Tulio Flores;
2. Defendants also reserve the right to supplement this request at any time.

INTERROGATORY NO.9:

Identify all individuals who Defendant believes may have knowledge regarding Defendant's pay and recordkeeping policies.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with rule the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category.

Subject to and without waiving the foregoing objections;

1. Dawnna Hogan-Guerra; and
2. Miguel Guerra.

INTERROGATORY NO. 10:

For each lawsuit, investigation, or complaint that Defendant did not properly compensate or record the time worked by their employees, whether initiated by an employee or by a governmental agency during the last 5 years, describe the claims or charges, identify all documents exchanged in the matter, identify the charging or complaining party, and provide the case number.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute.

Subject to and without waiving the foregoing objections;

- 1. Case No. 4:11-cv-3480: In the Southern District of Texas Houston Division;**
- 2. Case No. 3:12-cv-04057-L: In the Northern District of Texas Dallas Division; and**
- 3. Case No. 3:11-cv-01426-M: In the Northern District of Texas Dallas Division.**

INTERROGATORY NO. 11: Identify all bookkeepers or accountants used by Defendant during the relevant time period, including their name, address, phone number, business phone number, title or position, and include a brief description of the type of bookkeeping or accounting services they provided and the physical address where they performed such services.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute.

Subject to and without waiving the foregoing objections;

**Dawnna Hogan-Guerra
PCM Construction Services, LLC
501 North Salem St., Suite 201
Apex, NC 27502
Phone: (919) 657-1746
Fax: (800) 974-4595
Payroll processing at North Salem address.**

**Wade Sutton
PCM Construction Services, LLC
501 North Salem St., Suite 201
Apex, NC 27502
Phone: (919) 657-1746
Fax: (800) 974-4595
Taxes at North Salem address.**

INTERROGATORY NO. 12:

Identify each person on behalf of whom Defendant directly or indirectly provided compensation for employment services rendered during the years 2009, 2010, 2011 and 2012, including, but

not limited to, each person who loaded and unloaded construction debris onto trucks, each person who drove such constructed debris removal trucks or hauled collected debris from construction sites to local landfills for Defendant on a full-time, part-time and/or temporary basis. Please include their names, addresses, phone numbers, job positions, and job locations.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute.

INTERROGATORY NO. 13:

Describe the position(s) held by Miguel Guerra with PCM Construction Services, LLC and provide any job description(s) for that/those position(s); describe all activities Mr. Guerra performed for and on behalf of PCM; describe his regular work schedule; describe the legal and financial relationship between him and PCM; list Mr. Guerra's annual compensation from PCM during the years 2009, 2010, 2011, 2012 and 2013; and describe and identify interactions and communications between Miguel Guerra and each Plaintiff.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waiving the foregoing objections; Miguel Guerra holds a manager positing with PCM Construction Services, LLC.

INTERROGATORY NO. 14:

Describe the position(s) held by Dawnna Hogan Guerra with PCM Construction Services, LLC and provide any job description(s) for that/those position(s); describe all activities Ms. Guerra performed for and on behalf of PCM; describe her regular work schedule; describe the legal and financial relationship between her and PCM; list Ms. Guerra's annual compensation from PCM during the years 2009, 2010, 2011, 2012 and 2013; and describe and identify interactions and communications between Dawnna Hogan Guerra and each Plaintiff.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waiving the foregoing objections; Dawnna Hogan-Guerra holds a manager position with PCM Construction Services, LLC.

INTERROGATORY NO. 15:

State all reasons why Defendant claims that you do not owe some or all of the sums claimed by Plaintiffs in their Complaint and identify the facts to support the defenses listed in the Answer to the Complaint.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute. This request seeks a narrative response from the information that can be gleaned from the documents produced.

Subject to and without waiving the foregoing objections, Plaintiffs have been fully compensated for his services performed and time worked.

INTERROGATORY NO. 16:

Identify the individuals answering or assisting in answering these Interrogatories and the documents consulted in answering the Interrogatories and/or that are relevant to the answers to these Interrogatories.

RESPONSE:

1. Miguel Guerra
2. Dawnna Hogan-Guerra
3. Todd Prins, assisting with objections

INTERROGATORY NO. 17:

List all real estate in which Defendant has an ownership interest providing the address of the property, the date the property was purchased, the purchase price, the name(s) and addresses of any and all purchaser(s), the name of all mortgage holders or holders of other encumbrances, the balance due on all mortgages or other encumbrances, the name and addresses of all tenants.

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. This request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute. This request seeks a narrative response from the information that can be gleaned from the documents produced. This request, further, violates the Defendant's proprietary and privacy rights.

Subject to and without waiving the foregoing objections; none.

INTERROGATORY NO. 18:

List all motor vehicles owned by Defendant providing the make, model and year of the vehicles, the license plate numbers, the vehicle identification number (VIN), the name and address of any lien holder(s) and the amount due on the lien(s).

RESPONSE:

Defendant objects to the extent these requests exceed the allowable number of interrogatories permissible under the Federal Rules of Civil Procedure, including subparts. Further, the request is unreasonably cumulative, duplicative, and unduly burdensome. Defendant further object to the extent this request is overly broad and is not in compliance with the Federal Rules of Civil Procedure, which requires the request to specify the items to be produced or inspected, either by individual item or category, and describe with reasonable particularity each item and category. Further, this request is not relevant to the subject matter of the suit and will not lead to discovery of admissible evidence. The

proposed discovery goes beyond the subject matter of the case and reasonable expectations of obtaining information that will aid resolution of the dispute.

<input type="checkbox"/> Void a Employee's social security number [REDACTED]		Copy D—For Employer. OMB No. 1545-0008	
b Employer identification number (EIN) 35-2054098		1 Wages, tips, other compensation 5945.12	
c Employer's name, address, and ZIP code PCM CONSTRUCTION SERVICES, LLC 501 NORTH SALEM ST., SUITE 201 APEX, NC 27502		2 Federal income tax withheld 4 Social security tax withheld 5 Medicare wages and tips 5995.12 6 Medicare tax withheld 251.81 7 Social security tips 5995.12 8 Allocated tips 86.92	
d Control number 4Z-JOSEMAG		9 [REDACTED]	
e Employee's name, address, and ZIP code JOSE A. YRGEN [REDACTED]		10 Dependent care benefits 11 Nonqualified plans 12a See instructions for box 12 12b [REDACTED] 12c [REDACTED] 12d [REDACTED]	
f Employer's state ID number TX		13 Statutory employee 14 Other 15 State wages, tips, etc. 5945.12	
16 Local wages, tips, etc. 17 State income tax 18 Local income tax 19 Local income tax 20 Local name		21 [REDACTED]	

Form **W-2** Wage and Tax Statement

2012

38-2038803 Department of the Treasury—Internal Revenue Service
 For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

BW2ERD NTF 25767

PCM000038

22222		Void <input type="checkbox"/>		a Employee's social security number		For Official Use Only OMB No. 1545-0008	
b Employer identification number (EIN) 35-2054098				1 Wages, tips, other compensation 31220.80		2 Federal income tax withheld	
c Employer's name, address, and ZIP code PCM CONSTRUCTION SERVICES, LLC 501 NORTH SALEM ST., SUITE 201 APEX, NC 27502				3 Social security wages 31480.80		4 Social security tax withheld 1322.36	
				5 Medicare wages and tips 31480.80		6 Medicare tax withheld 456.56	
				7 Social security tips		8 Allocated tips	
				9		10 Dependent care benefits	
d Control number 42-JOSEMAG				11 Nonqualified plans		12a See instructions for box 12	
e Employee's first name and initial JOSE A. VIRGEN		Last name MAGDALENO		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code				15 State Employer's state ID number TX		16 State wages, tips, etc. 31220.80	
				17 State income tax		18 Local wages, tips, etc.	
				19 Local income tax		20 Locality name	

W-2 Wage and Tax

2011

33-2099903 Department of the Treasury—Internal Revenue Service
For Privacy Act and Paperwork Reduction Act Notice, see back of Copy D.

Form Copy A For Social Security Administration — Send this entire page with Form W-3 to the Social Security Administration; photocopies are not acceptable.

Do Not Cut, Fold, or Staple Forms on This Page — Do Not Cut, Fold, or Staple Forms on This Page

22222		Void <input type="checkbox"/>		a Employee's social security number		For Official Use Only OMB No. 1545-0008	
b Employer identification number (EIN) 35-2054098				1 Wages, tips, other compensation 16265.51		2 Federal income tax withheld 802.77	
c Employer's name, address, and ZIP code PCM CONSTRUCTION SERVICES, LLC 501 NORTH SALEM ST., SUITE 201 APEX, NC 27502				3 Social security wages 16265.51		4 Social security tax withheld 683.18	
				5 Medicare wages and tips 16265.51		6 Medicare tax withheld 235.85	
				7 Social security tips		8 Allocated tips	
				9		10 Dependent care benefits	
d Control number 42-JOSEPER				11 Nonqualified plans		12a See instructions for box 12	
e Employee's first name and initial JOSE ISABEL		Last name PEREZ		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code				15 State Employer's state ID number TX		16 State wages, tips, etc. 16265.51	
				17 State income tax		18 Local wages, tips, etc.	
				19 Local income tax		20 Locality name	

W-2 Wage and Tax

2011

33-2099903 Department of the Treasury—Internal Revenue Service
For Privacy Act and Paperwork Reduction Act Notice, see back of Copy D.

Form Copy A For Social Security Administration — Send this entire page with Form W-3 to the Social Security Administration; photocopies are not acceptable.

VIOLACIONES: Si usted vea alguna práctica de la compañía, código de empleo o "campo de trabajo" o concrete alguna de las infracciones mencionadas abajo por la aplicación de las siguientes medidas disciplinarias. Esta es una guía. Acción disciplinaria para decidida por el supervisor.	Primera falta = Desecho inmediato del conducto y el ayudante	Primera falta = Desecho = Desecho = Desecho	Primera falta = advertencia y costo actual segunda falta = advertencia y costo actual tercera falta = Desecho	Primera falta = advertencia segunda falta = advertencia y \$50 de multa tercera falta = Desecho
La violación de alguna política de la compañía o alguna conducta un desmoronamiento de la firma, entre empleados, clientes, público en general o propietarios los cuales dependiendo de la actividad	X	X	X	X
Violar en la capacidad del camión o coligando de alguna de los lados	X	X	X	X
Conducir un vehículo de la compañía sin una aprobación MVA de la firma aseguradora	X	X	X	X
Violar políticas sobre drogas	X	X	X	X
Robo o lozano de robo	X	X	X	X
Posesión de arma	X	X	X	X
Infracciones de tránsito	X	X	X	X
Dejar el camión descuido en el lado	X	X	X	X
Quitar daño a propiedades de PCM o a propiedades de terceros por ejemplo de este podría ser daño de tráfico, entonar la calle, dejar desperdicio, grifos de agua, buzones, líneas de drenajes, casas, azacas, orillas de la calle, herramientas de subcontratistas, derechos de propiedad	X	X	X	X
Auto accidentes	X	X	X	X
No llevar puesto uniforme de seguridad (casco/vestimenta de seguridad/protecciones de cinturón)	X	X	X	X
Conducir sin autorización de seguridad	X	X	X	X
Ingresar a las unidades de los clientes sin previa autorización	X	X	X	X
Recolectar como habilitado u otros materiales para su propio beneficio	X	X	X	X
Salidas u otras formas de atención inadecuada hacia alguien	X	X	X	X
Sobretirar un camión	X	X	X	X
Utilizar un vehículo de la compañía para uso personal o familiar o para No poner cinturón de seguridad mientras el camión está en circulación	X	X	X	X
Colgar cosas fuera del camión o colgando de fuera	X	X	X	X
Colocar en peligrosidad de línea	X	X	X	X
Desobedecer las leyes de tránsito	X	X	X	X
No seguir las normas del camión	X	X	X	X
No dejar el freno de mano colocado cuando el camión está aparcado (parqueado)	X	X	X	X
No colocar trazo debajo de la línea cuando está trabajando en una pendiente	X	X	X	X
No utilizar técnicas apropiadas cuando trepa a la carrocería del camión	X	X	X	X
Entrenarse en escaleras u otras estructuras bajas	X	X	X	X
No cumplir con las obligaciones como fue instruido	X	X	X	X
Retrasos	X	X	X	X
No llamar / No presentarse	X	X	X	X
Conducir veloz o no profesional	X	X	X	X
No regresar a tiempo la pagueta requerida	X	X	X	X
No reportar un accidente u ofensa el día en que ocurrieron	X	X	X	X
Quedar en esperar a otro empleado violando la política de la compañía	X	X	X	X
Quitar un camión	X	X	X	X
No trabajar por unidad misma a la brigada de la fábrica	X	X	X	X
No recibir en forma apropiada	X	X	X	X
Reportar que la firma está completa cuando no es así	X	X	X	X
No responder llamadas, textos o correos electrónicos de supervisores	X	X	X	X
Insubordinación	X	X	X	X
Utilizar vehículos o herramientas para un propósito diferente	X	X	X	X
No comer dentro de la zona o al pasar	X	X	X	X

Acuso recibo de este documento. Yo entiendo las consecuencias de violar una política PCM.

2/15/12

José A. Virgen Magdaleno

Justin Smith
WEEKLY REPORT

10-17-11 - 10-18-11 - 10-19-11 - 10-20-11 - 10-21-11 - 10-22-11						
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
				0	5	

Jose Armando Virgen Magdaleno						
	8	HRS		8		
				8		
			10			
				8		
					6	

WEEK ENDING 11/18/11	Saturday 11/12/11	Monday 11/14/11	Tuesday 11/15/11	Wednesday 11/16/11	Thursday 11/17/11	Friday 11/18/11	TOTAL

Magdalena	Jose A. Virgen	5	8	8	9	10	7	47
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MAGSILLIANO		MON. 12/12	TUES. 12/13	WED. 12/14	THUR. 12/15	FRI. 12/16	SAT. 12/17	TOTAL
Jose A. Virgen	7:00-4:00	7:00-4:30	7:00-4:30	7:00-4:00	7:00-5:00	7:00-4:00		

		12/19/2011	12/20/2011	12/21/2011	12/22/2011	12/23/2011	12/24/2011	TOTAL

Thurston

Magdaleno	Jose A. Virgen	8 HRS	9 HRS	8 HRS	9 HRS	8 HRS	5 HRS	47 HRS
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WEEK OF January 2, 2012								
	1/2/2012	1/3/2012	1/4/2012	1/5/2012	1/6/2012	1/7/2012	TOTAL	

Magdalena	8	8	10	9	8	5	48	
Jose A. Virgen								

FLUCTUATING WORK WEEK HOURS

HOUSTON SOUTH

WEEK OF JANUARY 16, 2012	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	TOTAL HOURS WORKED:	I AGREE THAT THE HOURS LISTED ARE THE CORRECT AND TOTAL HOURS WORK FOR THE TIME PERIOD LISTED.
	1/16/2012	1/17/12	1/18/12	1/19/12	1/20/12	1/21/12		

JOSE A VIRGEN	MAGDALENO	8	8	8	9	9	5	47	
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FLUCTUATING WORK WEEK HOURS

HOUSTON SOUTH

WEEK OF JANUARY 23, 2012	Hours worked on 1/23/12	Hours worked on 1/24/12	Hours worked on 1/25/12	Hours worked on 1/26/12	Hours worked on 1/27/12	Hours worked on 1/28/12	TOTAL HOURS WORKED:	I AGREE THAT THE HOURS LISTED ARE THE CORRECT AND TOTAL HOURS WORKED FOR THE TIME PERIOD LISTED.

Jose A. Virgen	8	8	9	8	9	5	47	7
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FLUCTUATING WORK WEEK HOURS

HOUSTON - SOUTH

WEEK OF FEBRUARY 13, 2012		Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	TOTAL HOURS WORKED:	Estoy de acuerdo que las horas reportadas son correctas, pero no cuentan para mí hora de almuerzo. Si mis horas fueran deducidas de mi tiempo de almuerzo, estas son las horas laborales del período detallado.
		2/6/12	2/7/12	2/8/12	2/9/12	2/6/12	2/6/12		

Hours A. Wilson	Waplesco	8	8	9	9	9	5	48	
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FLUCTUATING WORK WEEK HOURS

HOUSTON - SOUTH

WEEK OF FEBRUARY 20, 2012	Hours worked on 2/28/12	Hours worked on 2/14/12	Hours worked on 2/15/12	Hours worked on 2/16/12	Hours worked on 2/17/12	Hours worked on 2/19/12	TOTAL HOURS WORKED:	Estoy de acuerdo que las horas / oportunidades con correctos, pero no cuentan para mi hora de eleccion. Si minutos de mis seran deducidos de mi tiempo de eleccion. Estas son las horas trabajadas del periodo detallado.
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Jose A. Virgen	Margulies	9-7:5	7-7:10	7-10	9-10	7-10	7-5:00	7-5:12:00	54.25	<i>[Signature]</i>
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FLUCTUATING WORK WEEK HOURS

HOUSTON - SOUTH

WEEK OF	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	TOTAL HOURS WORKED:	Estoy de acuerdo que las horas reportadas son correctas, pero no cuentan para mí hora de almuerzo. 30 min menos serán deducidas de mi tiempo de almuerzo. Estas son las horas trabajadas del período debiendo.
	2-20-12	2-21-12	2-22-12	2-23-12	2-24-12	2-25-12		

Jose A. Virgen	Magallano	9-15 9-5:00	9-10 9-4:55	9-7.5 9-4:50	9-10 9-5:00	9-7.5 9-4:50	9-5 9-12:00	SHS
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FLUCTUATING WORK WEEK HOURS

HOUSTON SOUTH

	Hours worked on 3/5/12	Hours worked on 3/6/12	Hours worked on 3/7/12	Hours worked on 3/8/12	Hours worked on 3/9/12	Hours worked on 3/10/12	TOTAL HOURS WORKED:	Esby de acuerdo que las horas reportadas son correctas, pero no cuentan para mi hora de almuerzo. 30 minutos el día serán deducidas de mi tiempo de almuerzo. Estas son las horas fr bonoras del periodo detrallado.
WEEK OF MARCH 5, 2012								

Jose A. Yagan | Magdalena | 7-11:45 | 7-11:50 | 7-11:50 | 7-5:00 | 7-11:30 | 7-11:50 | 23-24 | *Alfonso Lugo*

FLUCTUATING WORK WEEK HOURS

HOUSTON SOUTH

WEEK OF MARCH 12, 2012	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	Hours worked on	TOTAL MIN IRL	Excluy de acuerdo que las horas reportadas con correctas, pero no cuentan para el hora de atenuar. 30 minutos de las hora deducidas de mi tiempo de atenuar. Estas son las horas laboradas del periodo
	3/12/12	3/13/12	3/14/12	3/15/12	3/16/12	3/17/12		

Jose A. Virgen	Reglamento	7-11:50	7-11:55	7-5:00	7-11:50	7-11:55	7-11:50	
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PERPETUAL HISTORY REPORT

PCM CONSTRUCTION SERVICES, LLC 2012 Backup

Checks Dated 10/17/11 Thru 12/30/12
 Pay Period Ending Dates Thru 12/31/99

CHECK NUMBER	CHECK DATE	PERIOD END DATE	GROSS WAGES	FEDERAL WITHHOLDING	FICA WITHHELD	MEDICARE WITHHELD	STATE WITHHOLDING	OTHER TAXES	CHECK AMOUNT
DEPARTMENT NUMBER: 42 450 Houston									
EMPLOYEE NUMBER: JOSEMAO Magdaleno, Jose A. Vi									
078586	10/20/11	10/14/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
078742	10/27/11	10/21/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
078886	11/03/11	10/28/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
079056	11/10/11	11/04/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
079193	11/17/11	11/11/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
079352	11/24/11	11/18/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
079493	12/01/11	11/25/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Holiday-Hour	7.50	12.64	94.80			
			PH Phone Reimbur	.00		5.00			
079618	12/08/11	12/02/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
079766	12/15/11	12/09/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
079888	12/22/11	12/16/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
080028	12/29/11	12/23/11	605.40	.00	25.43	8.78	.00	.00	571.19
			DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
080155	01/05/12	12/30/11	548.52	.00	23.04	7.93	.00	.00	517.53

PCM CONSTRUCTION SERVICES, LLC 2012 Backup

PERPETUAL HISTORY REPORT

Checks Dated 10/17/11 Thru 12/30/12
Pay Period Ending Dates Thru 12/31/99

CHECK NUMBER	CHECK DATE	PERIOD END DATE	GROSS WAGES	FEDERAL WITHHOLDING	FICA WITHHELD	MEDICARE WITHHELD	STATE WITHHOLDING	OTHER TAXES	CHECK AMOUNT
DEPARTMENT NUMBER: 42 450 Houston									
EMPLOYEE NUMBER: JOSEMAG Magdalena, Jose A. Vi									
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	32.00	12.64	404.48			
			OT Houston	2.00	18.96	37.92			
			PH Phone Reimbur	.00		5.00			
			HH Holiday-Hour	8.00	12.64	101.12			
080301	01/12/12	01/06/12	605.40	.00	25.43	8.78	.00	.00	571.19
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
080420	01/19/12	01/13/12	605.40	.00	25.43	8.78	.00	.00	571.19
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
080553	01/26/12	01/20/12	605.40	.00	25.43	8.78	.00	.00	571.19
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
080691	02/02/12	01/27/12	605.40	.00	25.43	8.78	.00	.00	571.19
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	12.64	505.60			
			OT Houston	5.00	18.96	94.80			
			PH Phone Reimbur	.00		5.00			
080951	02/16/12	02/10/12	605.00	.00	25.41	8.77	.00	.00	570.82
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	13.20	528.00			
			OT Houston	15.00	4.80	72.00			
			PH Phone Reimbur	.00		5.00			
081084	02/23/12	02/17/12	605.00	.00	25.41	8.77	.00	.00	570.82
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	13.20	528.00			
			OT Houston	15.00	4.80	72.00			
			PH Phone Reimbur	.00		5.00			
081229	03/01/12	02/24/12	605.00	.00	25.41	8.77	.00	.00	570.82
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	13.20	528.00			
			OT Houston	15.00	4.80	72.00			
			PH Phone Reimbur	.00		5.00			
081364	03/08/12	03/02/12	605.00	.00	25.41	8.77	.00	.00	570.82
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	13.20	528.00			
			OT Houston	15.00	4.80	72.00			
			PH Phone Reimbur	.00		5.00			
081509	03/15/12	03/09/12	605.00	.00	25.41	8.77	.00	.00	570.82
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	40.00	13.20	528.00			
			OT Houston	15.00	4.80	72.00			
			PH Phone Reimbur	.00		5.00			
EMPLOYEE JOSEMAG TOTAL:			12,654.52	.00	531.54	183.50	.00	.00	11,939.48
			EC DESCRIPTION	HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION	AMOUNT
			01 Reg/Sal PR	832.00	12.77	10,628.48			
			HH Holiday-Hour	15.50	12.64	195.92			
			OT Houston	147.00	11.74	1,725.12			
			PH Phone Reimbur	.00		105.00			

PERPETUAL HISTORY REPORT

PCM CONSTRUCTION SERVICES, LLC 2012 Backup

Checks Dated 10/17/11 Thru 12/30/12
Pay Period Ending Dates Thru 12/31/99

CHECK NUMBER	CHECK DATE	PERIOD END DATE	GROSS WAGES	FEDERAL WITHHOLDING	FICA WITHHELD	MEDICARE WITHHELD	STATE WITHHOLDING	OTHER TAXES	CHECK AMOUNT
DEPARTMENT NUMBER: 42 450 Houston									
DEPARTMENT 42 TOTAL:			12,654.52	.00	531.54	183.50	.00	.00	11,939.48
EC	DESCRIPTION		HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION		AMOUNT
01	Reg/Sal PR		832.00	12.77	10,628.48				
HH	Holiday-Hour		15.50	12.64	195.92				
OT	Houston		147.00	11.74	1,725.12				
PH	Phone Reimbur		.00		105.00				
REPORT TOTAL:			12,654.52	.00	531.54	183.50	.00	.00	11,939.48
EC	DESCRIPTION		HOURS	RATE	AMOUNT	DC/TAX	DESCRIPTION		AMOUNT
01	Reg/Sal PR		832.00	12.77	10,628.48				
HH	Holiday-Hour		15.50	12.64	195.92				
OT	Houston		147.00	11.74	1,725.12				
PH	Phone Reimbur		.00		105.00				

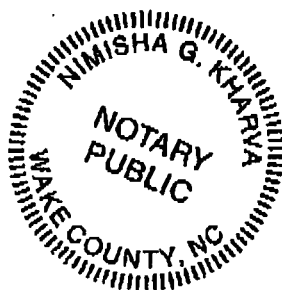
VERIFICATION

STATE OF NC §
COUNTY OF Wayne §

I, MIGUEL GUERRA, AS AUTHORIZED REPRESENTATIVE OF PCM CONSTRUCTION SERVICES, LLC, AND WITH PERSONAL KNOWLEDGE OF ALL THE FACTS LISTED IN RESPONSE TO ALL OF THE ABOVE AND FOREGOING INTERROGATORIES, DO HEREBY AFFIRM THAT THE ANSWERS TO ALL OF SAID INTERROGATORIES ARE TRUE AND CORRECT TO THE BEST OF MY PERSONAL AND PROFESSIONAL KNOWLEDGE.


Miguel Guerra

The foregoing instrument was acknowledged before me on this 23 day of August, 2013, by Miguel Guerra, who is personally known to me.




Signature of Notary Public

NIMISHA G. KHARYA
Printed Name of Notary Public

11-13-2016
Commission number and expiration date